

REMARKS

This response is limited under MPEP § 1.114 and 706.07 as the Office Action is FINAL. The following concentrates on advancing prosecution, clearly defining the issues for appeal, the applicants' right to a full and fair hearing of their position. The undersigned respectfully requests, in good faith, the Primary Examiner to reconsider allowance of the case based upon the following.

Claim Rejections - 35 U.S.C. § 112

Claims 36-40 have been amended to recite "a casino bonus game." The undersigned thanks the Examiner for pointing out a "lack of antecedent basis." The amendments to claim 36 overcome this rejection and allowance of these claims is respectfully requested.

Examiner's Arguments

Prior to addressing the 35 U.S.C. § 103(a) rejection and to advance the prosecution of this case so as to avoid the expense of appeal, the applicants address the Examiner's "Response to Arguments" which states:

"In response, the examiner notes that no structure is seen in applicants claim to give any particular meaning to 'strategy based' game. No steps of strategy are defined nor is any language seen that would add force to the language. Nor has applicant pointed to any particular passage of specification in the instant application that would give any particular definition of what is encompassed by the language 'strategy based game.'" (emphasis added)

In response thereto, to advance prosecution, and to clearly define issues for appeal, the independent claims 36, 41, 52, and 55 have been amended to directly address the Examiner's statement set forth above. It is believed that the claims now positively address these issues and the claims fully distinguish the present invention over the cited art.

To advance prosecution, it is maintained that the amendment to independent claims 36 and 41 provide the necessary structure to give particular meaning to "strategy-based game." The amendment to provide structure is: "the compound hidden pattern uncovered with a minimum number of player inputs based upon optimum strategy." Likewise in independent claims 52 and 55, the structure meaning is provided by: "play of the strategy-based casino bonus game having an overall game solution with a least number of received inputs when the player uses optimal strategy." The steps of strategy include the additional method step in claims

36 and 41: "based on the part of the compound hidden pattern displayed of the aforesaid display, using strategy by the player to provide the next player input." Claims 52 and 55 already have strategy steps. The method steps are already set forth in each of the independent claims. Finally, the specification is replete with suitable definitions of strategy-based games. For example, at page 18, line 19 to page 19, line 19 one disclosure is specifically set forth.

It is maintained that the amendments to the claims address and overcome the Examiner's issues set forth above. It is believed that with these amendments to each of the four independent claims that all claims are in condition for allowance and such allowance is respectfully requested.

As the above Response to Arguments further discusses Cork, the response to Cork will be found in the next section.

Claim Rejections - 35 U.S.C. § 103

Here, all claims were rejected based on Cork in view of Muzaffar (Muza). Because this response is after final, it is limited, by the undersigned, to advance prosecution and to clarify issues. It is maintained that there is a basic misunderstanding concerning the reference of Cork, the rejection states

"Cork discloses a strategy-based casino bonus game"

Cork is not a strategy-based casino bonus game. Applicants repeatedly throughout the specification such as at page 18, line 19 to page 19, line 19, fully disclose how a player can use an optimum strategy to play the applicants' bonus game. When the player uses optimum strategy, the player wins the highest award. Even using less than optimum strategy, as found in the pending claims, results in a higher award in simply using no strategy. There is no corresponding disclosure in Cork. Cork is based upon randomness and pure luck.

This Response After Final is strictly limited and, therefore, all other arguments concerning Cork and Muza have already been articulated and are herein incorporated by reference from the earlier responses and are not repeated herein. Rather, the above concentrates on amendments to the claims to advance prosecution and to obtain allowance of some or all of the claims, to put the claims in better form for appeal by crystallizing the issues and to overcome any misunderstandings concerning the prior art or the claimed invention.

Should you have any questions regarding the above, please feel free to give the below-listed attorney a call. If additional fees are required, please debit our Deposit Account No. 04-1414.

Respectfully submitted,

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